

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRIAN WAYNE POTTER,
Plaintiff,

Case No. 1:14-cv-007
Dlott, J.
Litkovitz, M.J.

vs.

COMMISSIONER OF
SOCIAL SECURITY,
Defendant.

**REPORT AND
RECOMMENDATION**

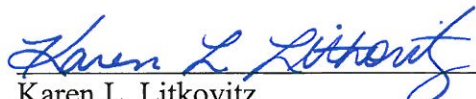
This matter is before the Court on defendant Commissioner of Social Security's motion for voluntary remand. (Doc. 18).

On January 14, 2014, plaintiff Brian Wayne Potter filed a complaint challenging the Commissioner's final decision denying plaintiff's application for Supplemental Security Income. (Doc. 3). On September 19, 2014, defendant filed its motion requesting that the Court reverse the final decision of the Commissioner and remand this matter for further administrative proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g). (Doc. 18). Plaintiff has not filed a response to the motion.

IT IS THEREFORE RECOMMENDED THAT:

1. Defendant's motion for voluntary remand (Doc. 18) be **GRANTED**.
2. The decision of the Commissioner denying plaintiff's application for Supplemental Security Income be **REVERSED** and this matter be **REMANDED** for further proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g).

Date: 10/16/14


Karen L. Litkovitz
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).